

REMARKS

By the present amendment, claims 1 and 2 have been amended to clearly claim the invention. Claims 3-12 have been added to disclose specific features in the embodiments of the invention.

Claims 1-12 are pending in this application.

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 5,612,732 to Yuyama et al. in view of U.S. Patent Number 4,337,383 to Daigaku.

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yuyama et al. in view of Daigaku, and further in view of U.S. Patent Number 5,983,119 to Martin et al.

In view of the arguments that follow, Applicants respectfully traverse the Examiner's rejection of claims 1 and 2.

Rejection Under 35 U.S.C. § 103(a)

The Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Yuyama et al. in view of Daigaku. The rejection is respectfully traversed.

Applicants' amended claim 1 recites a camera comprising: a communication device which allows radio communication with another unit; and a radio antenna, wherein a conductive component included in the camera and insulated from a camera housing, but not electromagnetically shielded, is also used as the radio antenna.

Thus, according to the invention defined by claim 1, a conductive component of the camera that is both insulated from a camera housing and not electromagnetically shielded is also used as the camera radio antenna. In this way, the camera may perform radio communication without using an independent radio antenna. In an implementation of the present invention, this contributes to miniaturizing the camera and prevents a user from unconsciously covering or touching the antenna, regardless of camera angle.

The Examiner alleged that Yuyama et al. disclose a camera comprising a communication device which allows radio communication with other unit; a radio antenna, wherein a conductive component previously provided for the camera but not electromagnetically shielded is jointly used as the radio antenna. The Examiner admitted that Yuyama et al. do not explicitly disclose that the earphone jack is insulated from the camera housing. According to the Examiner, it is well known and old in the art to have the housing of the earphone jack be made of synthetic resin and also provide an insulating member for one side of the electrical contact as taught by Daigaku.

Applicants respectfully submit that neither Yuyama et al. nor Daigaku, taken singly or in combination (assuming these teachings may be combined, which Applicants do not admit), teach or suggest all the claimed limitations of the present invention. Among other things, the references do not disclose "wherein a conductive component included in the camera and insulated from a camera housing, but not electromagnetically shielded, is also used as the radio antenna," as recited in claim 1.

Yuyama et al. disclose a portable imaging apparatus that has a portable television receiver and a camera. The portable imaging apparatus has an earphone terminal for connecting an earphone, enabling a user to listen to sound and also serves as a wire

antenna that acts as an antenna terminal, enabling a user to receive televised signals. However, an earphone terminal which an earphone is inserted into and serves as a wire antenna in order to receive televised signals is not analogous to “a conductive component” of the camera that is “insulated from a camera housing, but not electromagnetically shielded” and “also used as the radio antenna.”

Daigaku does not make up for the deficiencies of Yuyama et al. Daigaku merely discloses an earphone jack for a tape recorder that has an earphone/speaker changeover switch and a muting switch that is disposed in a through bore of the tape recorder's housing. The changeover switch operates the muting switch to interlock with a switching operation between the earphones and the speaker. The housing of the earphone plug insertion hole is made of synthetic resin. The synthetic resin hole of the earphone plug insertion of Daigaku is not analogous to “a conductive component included in the camera.” Moreover, an earphone jack of Daigaku, or an earphone jack that is insulated from a camera housing (as defined by the Examiner) is not analogous to a “conductive component” that is “insulated from a camera housing, but not electromagnetically shielded is also used as the radio antenna.”

Therefore, neither Yuyama et al. nor Daigaku, taken singly or in combination, disclose or suggest “wherein a conductive component included in the camera and insulated from a camera housing, but not electromagnetically shielded, is also used as the radio antenna,” as claimed.

Applicants also respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the reference teachings. Second, the proposed modification of the prior art must have had a reasonable expectation of succeeding, as determined from the vantage point of a skilled artisan at the time the invention was made. Third, the prior art references, when combined, must teach or suggest all the claim limitations. See M.P.E.P. §2143.

The Examiner relies on the teachings of Yuyama et al. which disclose a portable imaging apparatus that has an earphone terminal for connecting an earphone, enabling a user to listen to sound and also serves as a wire antenna that acts as an antenna terminal, enabling a user to receive televised signals; and Daigaku which discloses an earphone jack for a tape recorder where the housing of an earphone plug insertion hole of the earphone jack is made of synthetic resin. These teachings, however, fail to provide the artisan of ordinary skill with a suggestion or motivation to modify the primary reference such that “a conductive component” is “included in the camera and insulated from a camera housing, but not electromagnetically shielded, is also used as the radio antenna.”

In view of the above reasons, Applicants respectfully submit that the asserted combination of Yuyama et al. and Daigaku fails to establish a *prima facie* case of obviousness of independent claim 1, or any claim depending therefrom. Applicants further submit that the Examiner’s conclusion in claim 1 is based on improper hindsight reasoning. See M.P.E.P. §2142. The Examiner may not utilize the Applicants’ own disclosure as motivation for altering a reference that lack sufficient disclosure to teach the Applicants’ claimed invention.

In view of the foregoing reasons, Applicants submit that claim 1 is not taught or suggested by Yuyama et al. in view of Daigaku, and the rejection of claim 1 should be withdrawn.

The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Yuyama et al. in view of Daigaku, and further in view of Martin et al. The rejection is respectfully traversed.

Claim 2 is allowable for at least the reasons stated above with regards to the respective base claim 1. Therefore, the rejection of claim 2 should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Demetra R. Smith-Stewart (Reg. No. 47,354), to conduct an interview in an effort to expedite prosecution in connection with the present application.

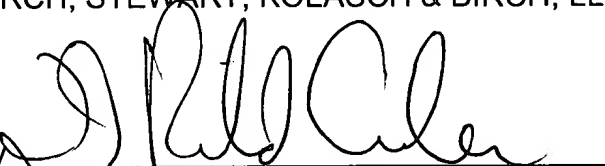
Pursuant to the provisions of 37 C.F.R. §1.17 and §1.136(a), Applicants hereby petitions for an extension of one (1) month in which to file a response to the outstanding Office Action. The required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for

any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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